

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**CRIMINAL ACTION NO. 2:16-CR-7-KS-MTP**

**CHARLES BOLTON and  
LINDA BOLTON**

**ORDER**

On April 11, 2017, Defendants Charles and Linda Bolton filed their Notices of Appeal [180][182]. “The filing of a timely and sufficient notice of appeal transfers jurisdiction over matters involved in the appeal from the district court to the court of appeals. The district court is divested of jurisdiction to take any actions with regard to the matter except in aid of the appeal.” *United States v. Hitchmon*, 602 F.2d 689, 692 (5th Cir. 1979) superceded by statute on other grounds as stated in *United States v. Martinez*, 763 F.2d 1297, 1308 (11th Cir. 1985) (citations omitted). Because Defendants have filed their Notices of Appeal [180][182], and the Court finds them to be both timely and sufficient, the Court no longer has jurisdiction to adjudicate Defendants’ pending motions [175][177][178][181]. The matters addressed in these motions should be directed to the Fifth Circuit. For purposes of the Court’s docket, these motions will be terminated without being decided.

SO ORDERED AND ADJUDGED this the 12<sup>th</sup> day of April, 2017.

s/Keith Starrett  
KEITH STARRETT  
UNITED STATES DISTRICT JUDGE